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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, *et. al.*,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, *et. al.*,

Defendants.

Case No. 3:25-cv-1766-EMC

Judge: Hon. Edward M. Chen

RESPONSE TO PLAINTIFFS' NOTICE OF NON-  
COMPLIANCE

RESPONSE TO PLAINTIFFS'  
NOTICE OF NON-COMPLIANCE  
No. 3:25-cv-1766-EMC

Defendants submit this Response to Plaintiffs' Notice of Non-Compliance. ECF No. 175. As undersigned counsel stated in her discussion with opposing counsel on June 4, 2025, Defendants inadvertently overlooked the deadline indicated in the May 29, 2025 minute entry. ECF No. 161.<sup>1</sup> Instead, Defendants were operating under an understanding that the June 6, 2025 deadline pertained to the completion of the final declaration whether the 20 custodians at issue used communication means outside of government email and OneDrive, and if so, the steps taken to collect the responsive data after conferring on collection methodology with Plaintiffs. *Id.* Because these individuals include high-level officials including the Secretary of Homeland Security, the Deputy Secretary of Homeland Security, and additional advisors, the process of obtaining this information is not instantaneous. While Defendants did start that process shortly after the Court's May 29 hearing, it has not been completed as of June 4, 2025. Defendants intend to file the declaration as soon as possible and will meet and confer with Plaintiffs if any custodian identifies use of a personal account for communication in the interim.

Dated: June 4, 2025

Respectfully submitted,

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/s/ Sarah L. Vuong  
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<sup>1</sup> While undersigned received an ECF notification regarding Docket Entry 161, that entry does not appear on the public facing docket.

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